

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THOMAS KEATING,

Plaintiff,

ORDER

CV 06-6027 (JFB)(ARL)

-against-

LEVITON MANUFACTURING, INC.,

Defendant.

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LINDSAY, Magistrate Judge:

By letter dated February 6, 2008, the plaintiff moves to compel the defendant to provide complete responses to his document demands and interrogatories. In addition, the plaintiff requests that the February 7, 2008 discovery deadline be extended and that the court sanction defense counsel for his "repeated and willful non-compliance with the F.R.C.P." Defendant's response, dated February 9, 2008, reports that counsel have not met and conferred as is required by the undersigned individual rules and the local rules of this court.

As an initial matter the court notes that the discovery deadline is May 29th and not February 7th as reported by plaintiff. See Scheduling Order, dated November 27, 2007. Although plaintiff describes an exchange of correspondence including the sending of "deficiency letters," this effort does not comply with the court's requirement that parties actually speak to one another prior to seeking judicial intervention. Accordingly, the application is denied as premature and the parties are directed to confer on or before February 20, 2008.

Dated: Central Islip, New York
February 12, 2008

SO ORDERED:

/s/
ARLENE R. LINDSAY
United States Magistrate Judge